

services of the best men of the legal profession upon the bench for ten years? Can the people of Maryland expect individuals to give up the early part of their lives and a steady, lucrative, and honorable profession, and just as they have entered upon a career of successful practice and are about to reap the reward of their past labor, to turn aside and serve ten years on the bench, where the salary will be small, and the result will be that they will be compelled, at the end of ten years, to retire and spend their old age in poverty and obscurity? Individuals look to their own interest and the interests of their families and those dependent upon them, and they cannot afford to make so great a sacrifice as that. You will not have men of learning and ability, and industrious habits to consent to serve upon your bench. You may obtain, as the honorable gentleman from Queen Anne's said, young men of inferior character, who have not yet acquired the confidence of the public, and have not as yet manifested that degree of talent, learning and skill which would enable them to command rewards and emoluments in their profession. You will, therefore, probably necessitate the election of inferior men. If you do not obtain those, it will be older men, who have shown themselves deficient in capacity and unable to acquire practice, or to obtain lucrative employment at the bar—unable to adjudicate properly the cases which might be brought before them. As a last resort, such men will consent to serve upon the bench for ten years. This high function, so interesting to every man in the community, coming home to his right to property, liberty, and life, will be performed by inferior men, while every man in the community would desire to see the office filled by men of the highest talents, purest integrity, and the most untiring industry that the profession can afford. Would to God that you would give a salary to secure such men; but I can hope for no such thing in the existing condition of things.

An argument is urged with force and earnestness by my esteemed friend from Baltimore county, against the re-eligibility of those functionaries, which would seem to assume that a judge who would win public favor by the discharge of official duty, must necessarily swerve from the righteous performance of that duty. That is the idea upon which the whole argument against re-eligibility is based. The argument appears to be that public favor is not to be won by the faithful, honorable, and virtuous discharge of official duties, but by base bending to vile passions. Let gentlemen reflect that this carries with it a most grave imputation upon the judgment, virtue, and integrity of the electors of the State. If it be true that the electors of Maryland or of any other republic, are thus depraved, that they are so corrupt and regardless of their own best interests, God help the Republic—God help all chance or hope of security and perpetuity to our rights and liberties in any department of the government. But I am sure it will not be so. My honorable friend cannot think so, when he comes to reflect seriously upon it. When a person comes before

the public for their suffrages for any office, does he not base his claims to the public confidence upon his virtuous deeds, his patriotism, his integrity, his honor, his devotion to right and truth? Such are the position upon which his claims are always based. And who is it that commands the applause of the people? Is it not the enlightened, virtuous, impartial man? And can you admit by implication, in this bill, the assertion that the judge can secure public favor by a different course? It is to be presumed that the very hope of re-election would animate his heart to pursue more strictly and impartially, if possible, the course of integrity, in order that his course may abide the test of human scrutiny and watchfulness. While a few may turn from him to the ambitious demagogue, or the corrupt politician, the virtuous community will only the more earnestly and steadfastly rally around and sustain him. So long then as the people are pure and enlightened, and worthy to be free, so long will virtuous conduct be the safest and most ready avenue to the public approbation.

"Temptation to do wrong!" My friend from Frederick, (Mr. Johnson,) answered that by showing that in this, as in many other instances, the temptation to do right is far stronger than the temptation to do wrong. It is natural, that he who is upon the bench, should desire to continue in office. He could not wish at the end of ten years to go into obscurity and poverty. Why not leave it to the judgment of the people for whom he acts, to say that if he has performed the services faithfully and ably for ten years, he may continue to perform them for ten years more. It is more than that to the judge. It is giving him that which, of all things, the human heart yearns after. It is approbation—the approbation of the wise and good. The strongest feeling of the human bosom, that which leads to most of the noble deeds we admire in our race, is the love of approbation—the love of the commendation of our fellow-men. Dare any man say or believe that the judge on his bench, feeling that impulse, will ever seek to gratify it by swerving from the path of rectitude and honor? That could only bring upon them condemnation and the loss of the public confidence and regard.

Mr. BUCHANAN. This subject, I am perfectly aware, is already exhausted; but I nevertheless cannot consent that the vote should be taken without indicating in advance how I shall vote, and I rise as much for that as to present a view which alone seems to have escaped the very intelligent gentlemen who have discussed this question. I came here devoted especially to one particular subject. Of all things else that I desired, of all things that I strove for in the campaign through which I passed, was the right to be guaranteed by this Convention to elect the judges by the sovereign voice of the people. That was what moved me first, particularly. That was what moved the State particularly. It was the great absorbing leading question.